

# Oriental Bank Employees Charged With Defalcations

## New York City's Great Automobile Carnival; See Page 4

### Vidaver's Accuser Now Involves the Attorney-General

Rain to-night, warmer; brisk winds Friday.

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NEW YORK, THURSDAY, MARCH 5, 1908.

## JACKSON ASSAILED

### IN CHARGES MADE AGAINST VIDAVER

#### Attacks in Press Came From Attorney-General "Who Ought to Be Shown Up," Declares Man Who Makes Extortion Charges.

When the case of Nathan Vidaver, accused of attempted extortion, was called in Centre Street Police Court to-day affidavits were submitted which placed a new complexion upon the transaction in which Vidaver, William R. Montgomery, the indicted president of the Hamilton Bank, and Moses H. Grossman, the lawyer, figured.

In a lengthy affidavit Montgomery charges that Vidaver and Grossman approached him last fall and volunteered to call off newspaper attacks inspired by the Attorney-General's office for \$1,500. Vidaver, according to Montgomery, claimed to control the Attorney-General's attitude in banking matters.

Montgomery did not pay the money. He swears that Grossman and Vidaver hounded him for it, and that Vidaver yesterday at luncheon in the Astor House threatened him that unless he paid certain sums the Attorney-General in a week would put out of business any new bank he might start.

"In November of 1907," says Montgomery in his affidavit, "I was working to have the Hamilton Bank reopened. The newspapers were filled with attacks upon me and the Hamilton Bank emanating from the Attorney-General's office. I found that these attacks were interfering with our plans for reopening the bank, and I was desirous of stopping them."

"Money Talks."

"About the middle of November one Moses H. Grossman, a lawyer, called at my house and brought up the subject of the newspaper attacks. He agreed with me that they were outrageous. We went downtown together to his office."

"I asked Grossman if he knew any way of stopping the attacks. Grossman said he knew a man who could put a stop to them. He mentioned Nathan Vidaver."

"No man in New York," said Grossman, "is closer than Vidaver to the Attorney-General."

Grossman telephoned for Vidaver and he soon appeared. I told Vidaver that I knew the attacks on me were proceeding from the Attorney-General's office and that Attorney-General Jackson ought to be shown up."

"That may all be true," said Vidaver. "The main thing is to stop the attacks. Money talks."

"He said he thought that \$1,500 would fix it so he could shut up the newspapers. Before fixing it with Jackson, he said, he would have to see a man named Auerbach. He said he would let me know whether \$1,500 would be enough the next day."

"He said if I would pay him \$1,500 he would guarantee that no attacks upon me or the bank would appear in the newspapers before Dec. 31, the date of the argument before Justice Burtis on the question of making the receivership permanent."

"I told Vidaver I wasn't afraid of anything they might have on me, except a couple of technical overdrives made about two months prior to the closing of the bank."

"The next day I met Vidaver in Grossman's office. Vidaver said he had fixed it to keep the newspapers off my neck by Dec. 31, when I would have to make a new agreement. After that all the newspaper attacks were stopped."

"After the second interview with Vidaver and up to two or three days before Frank White, the temporary receiver of the Hamilton Bank, called his preliminary report, I was called up frequently by Mr. Grossman and Vidaver concerning my neglect to pay the \$1,500. In the mean time I had been advised by my counsel, Frederick F. Searing, not to pay the money."

"I met Grossman and his partner, Mr. Vorhaus, in Mr. Searing's office at No. 7 Wall street. Grossman said he had been placed in an embarrassing position with the Attorney-General's office by my refusal to pay."

"Vidaver was called by telephone and

## HUGHES KNOWS

### WHERE HE STANDS ON TURF GAMBLING

#### English Credit System Evidently Not Bothering Him—Chances of His Bill.

ALBANY, March 5.—No further hearings will be held on the anti-race track bill, so far as the Assembly Codes Committee is concerned. At the conclusion of an executive session of that committee to-day Chairman C. F. Murphy, of Kings, said that the understanding of the members of that committee now is that the committee had concluded its work so far as the hearings are concerned, and is at liberty to discuss the bill.

He expressed no doubt that they would be reported, but said the discussion would be over any changes the members of the committee might have to suggest, including the so-called English credit system as advanced yesterday by the Jockey Club.

The situation so far as the Senate is concerned is different. One of the bills amending the Percy-Gray law by repealing the provision which permits betting on race tracks is before the Senate Judiciary Committee. A hearing will be held by that committee for March 11.

It was stated by Judge Coyne, counsel of the opponents of the bill, that his side would not be ready at that time and they would ask for another week, until March 18. Judge Coyne said that his side would complete its case at that time. New speakers and a different line of argument would be presented to the Judiciary Committee, he said.

Senator Hill, chairman of the Senate Codes Committee, said to-day that he believed no further hearing would be held on the bill before his committee, but that briefs would be received and that the committee would probably hear friends of the bill, should they ask to be heard.

Gov. Hughes was asked to-day by the newspaper correspondents his opinion on the English credit system.

"Everybody knows where I stand on this proposition," said the Governor, "and I know where I stand. I am not going to talk about anything I do not know anything about, when I have only got the label and not the goods. All I know about this matter is what you newspaper men have informed me."

The Governor left this afternoon for New York, where he is to speak to-night before the North Side Board of Trade.

Regarding his idea of the prospects of the passage of the bill, Senator A. C. Sweeney said to-day:

"I cannot see how they can be beaten if they get out on the floor. I don't think the Republican party can afford to beat them openly. If it is done at all it will be in committee. I doubt very much whether the party could even afford to have them beaten in that way."

## MOB THREATENS

### MOTORMAN WHEN CAR KILLS GIRL

#### Two Hundred Incensed Men and Women Try to Lynch Mangan on Street.

#### SAVED BY POLICEMAN.

#### Sergeant Pacifies Throng Bent Upon Taking Life of Fleeing Man.

While on her way home after the morning session of school to-day, Jennie Brelich, eight years old, was knocked down and killed by a Second avenue electric car at East One Hundred and Ninth street. The accident occurred within a few hundred yards of the parents of the little girl, Mr. and Mrs. Jacob Brelich, No. 202 East One Hundred and Ninth street.

The streets at the time were crowded with several hundred children returning from the public schools in East One Hundred and Eighth street. East One Hundred and Tenth streets, and a crowd of about 200 angry men and women quickly formed and came very near mobbing the motorman, Edward Mangan, of No. 240 East Twenty-second street.

Mangan left his car and ran for his life, never stopping until he reached the car barn thirteen blocks distant, where he was arrested by Detectives Martin and Higgins.

Motormen are instructed to drive the cars slowly at all crossings near schools, and is charged by witnesses of the accident that Mangan was violating this regulation.

#### Car Kills Little Girl.

The little girl, a pretty child, whose parents are poor, her father being a tailor on a small scale, with a small and much worn satchel slung over her shoulder, was crossing East One Hundred and Ninth street, and the car came down upon her so quickly that she did not have time to run. The efforts of the motorman to stop in time were unavailing, and the child was struck by the fender and her body thrust between it and the wheel track. The car, No. 178, ran fully thirty feet before it stopped.

The excitement of the scores of frightened children who saw their schoolmate disappear under the car and ran screaming about the streets attracted a crowd of men and women from the residences near by, and soon the car was surrounded. The motorman and the conductor, William Barth, of No. 766 Forrest avenue, by that time were on the ground, and with the few passengers who were on the car were looking under the front platform for the little body.

#### Crowd Made Threats.

The excited school children in small groups began to crowd around and tell of the accident, and it was not long before a murmur against the motorman began and swelled into a shout for the man's life. The men were the most excited, and all that was needed to start a hostile mob toward Mangan was a shrill shout from a tall woman, bareheaded and with her sleeves rolled back.

"The big brute," she cried, "to run down the poor little child! He ought to be beaten up!"

In a second this was followed by other cries favoring violence, and the crowd, which had swelled to fully two hundred, made a rush for the motorman. Langan wasted no time. He had his controller in his hand, but he threw it on the ground and dashed up Second avenue as fast as he could with the crowd after him. They did not follow him far, but went back to try to get the little body from under the car.

Police Sergeant Michael Coghert was on hand by that time, and he did all he could to quell the excitement.

"Never mind the motorman," he said, "He'll be attended to all right. You men come and help me get the little girl from under the car." Then with the aid of the fifty men the car was tipped over on its side and lay near an "L" pillar.

#### Death Was Instantaneous.

The body of the little girl was found wedged in between the fender and the truck. Death was probably instantaneous. The child's books were scattered along the track, and from one of them her companion book—her name and address were learned.

Her last word was a composition, at the top of which was written "A. P. Blossom," and on the margin of the book, evidently in the handwriting of her teacher, was written "L. M. per cent." The sign of this in the policeman's hands enraged the crowd more than ever, and there were threats to follow and deal with the motorman. Sgt. Coghert, fearing that this threat would be made good, telephoned to the East One Hundred and Fourth street station and called for the reserves. An ambulance in the meantime came and carried the little girl's body to the station, where her mother and father went as soon as they were notified.

## DECLARE INCENDIARY

### SET SCHOOL BLAZE IN WHICH 180 PUPILS DIED

#### Police of Collinwood Searching for Three Girls Seen Running From School Before Blaze and Who May Explain Holocaust.

CLEVELAND, March 5.—From the testimony so far adduced the authorities are inclined to believe that the fire in the Collinwood School, in which about 180 lives were lost, was the work of an incendiary. In fact, one of the school commissioners of the town declares such to be a fact, adding that the blaze could not have started accidentally, and the efforts of the police are now directed towards running down this clue.

The officials are working hard to ascertain the names of three girls who are reported to have been in the basement at the time the fire started, and who are said by the janitor to have first notified him of the fire.

These ran out of the building as the janitor started to investigate, and it is suspected that they set the blaze either intentionally or by criminal carelessness by playing with fire. It is even thought they may have been the tools of some person who sought the destruction of the building.

Much depends, it is thought, upon the stories these girls may be able to tell. The officials desire to learn the exact reason for the holocaust, not only because it may be the means of preventing a repetition of the calamity in the future and stand as a warning to other schools throughout the country, but will to a degree appease the anxiety of the afflicted parents and the public in general. In this connection the janitor has been made to hear the mayor portion of the blame. While the janitor practically has cleared himself upon his own testimony, yet the feeling against him is high in Collinwood.

One man, crazed by his grief, made an attempt upon the life of Herter, but was restrained with difficulty. Herter is being guarded by the police. In addition to the blame, the janitor, or not, being heaped upon him, Herter is broken down with grief over the loss of three of his own children in the fire. Up to a late hour to-day 120 bodies had been identified from among the pupils who lost their lives. Twenty-four hours now have passed and the exact number of fatalities is unknown. The number will probably reach 180. How many bodies still are in the ruins, if any, has not been positively determined. The firemen and voluntary assistants still are probing among the smoldering ruins. So far 161 bodies have been recovered.

Village Engineers could is of the opinion that possibly twenty more bodies still are in the ruins, burned to ashes. Mr. Gould holds this opinion upon the difference between the number of bodies recovered and the number that have been reported missing.

The arrangements for a great public funeral are being rapidly perfected. This likely will take place to-morrow or not later than Saturday.

All the bodies will be placed in one plot, and it is intended to erect a large monument to the dead.

In response to a call for financial assistance for the afflicted and needy people of Collinwood, as a result of yesterday's calamity, cash contributions are pouring in at a rapid rate. The Cleveland newspapers have started subscription funds and a large sum will doubtless become available with but little delay. In many families there are three or four caskets to be provided for their dead. To-day the Village Council of Collinwood appropriated \$5,000 for those needing funeral aid, while the Collinwood Board of Trade pledged a similar amount.

The cause of the fire, which, aided by a frantic panic, a narrow hallway, and doors which it is claimed by many were made to open toward the inside, still is a mystery. It was at first supposed that it came from an overheated furnace or an exploded boiler in the basement of the school-house.

It has been established that there was no explosion, and the janitor of the school, Fred Herter, three of whose children died within arms' length of their father, declares that it could not have come from the furnace. Yesterday in Collinwood was comparatively warm, and Herter declares that he maintained the fires at a lower rate than usual.

The automobile of Mrs. William Kilder, widow of A. M. Kilder, the millionaire banker, was stopped on Riverside Drive for speeding this afternoon, and taken to the West Side Court. Mrs. Kilder was in the car, and so was Jacob Amos, ex-Mayor of Syracuse.

Mr. Amos made an attempt to plead Magistrate Moss to dismiss the case. The Magistrate said he could not do so, but he paroled the chauffeur in Mr. Amos's custody, setting the case over until to-morrow.

## ESCUTCHEON BY

### NECK WINS OUT AT NEW ORLEANS

#### Good Ride by Powers Lands Good Thing in Front Finally.

#### MARSE ABE IS GOOD ONE

#### Wins First Half-Mile Race of the Winter Season for Youngsters.

(Special to The Evening World.)

NEW ORLEANS, La., March 5.—With today the racing season in New Orleans started on the far end. There still remain the two Derbies to hold interest, but after from these interesting events there will be from now on a field of ship in the general interest in racing affairs. There are still some of the Northern holiday visitors on hand, but each day the crowds are coming back to the brand known as Simon pure regulars.

To-day the Pate Grounds was again a fair sight for the spectators of racing, as the big grand stand held enough patrons to make it certain that the receipts were of encouraging proportions. Twenty-seven books were on, and there were counted a disconcerting amount as it was expected this meeting would have something like forty books for the average.

To-day was the first time the baby races have been asked to go as far as half a mile, and the few that were sent out were recognized as being of good class, the Cells colt Marse Abe being the top weight with 124 pounds, a difficult task with the company he met. Summary:

FIRST RACE.—Purse \$500, two-year-olds, four furlongs—Marse Abe, 124 lb., 1 to 1 and 1 to 2, won by a neck; Breeze, 118 lb., 2 to 1; Powers, 118 lb., 3 to 1; and 1 to 2, second; Little Nose, 102 lb., 10 to 1; 12 to 1 and 1 to 1, third; Time—0-48 1/2. Marse Abe, Rosebud, 11, and Guy Fisher also ran.

SECOND RACE.—Purse \$500, four-year-olds, and two-year-olds, five and a half furlongs—Escutcheon, 112 lb., 1 to 1 and 1 to 2, won by a neck; Breeze, 118 lb., 2 to 1; Powers, 118 lb., 3 to 1; and 1 to 2, second; Little Nose, 102 lb., 10 to 1; 12 to 1 and 1 to 1, third; Time—0-58 1/2. Marse Abe, Rosebud, 11, and Guy Fisher also ran.

THIRD RACE.—Purse \$500, three-year-olds, six furlongs—Mondella, 107 lb., 1 to 1 and 1 to 2, won by a neck; Breeze, 118 lb., 2 to 1; Powers, 118 lb., 3 to 1; and 1 to 2, second; Little Nose, 102 lb., 10 to 1; 12 to 1 and 1 to 1, third; Time—1-15. Louise K., Tamar, Belle of Kent, Jaybird, Florence N., Pedigree, Mendogreen, Elmes, Maska and Faces and Lady Alma also ran.

## MANAGER SAYS

### JOHNSON WILL FIGHT BURNS

#### Fitzpatrick Accepts Offer to Meet American in English Bout.

Sam Fitzpatrick, manager of Jack Johnson, the negro heavyweight, this afternoon accepted the English offer for a fight between Johnson and Tommy Burns. The only condition Fitzpatrick insists on is that the Kelly Syndicate, mentioned as the promoters of the fight, shall post \$100 for expenses for Johnson on the trip.

"This," says Fitzpatrick, "will show Johnson on the part of the Englishman, a guarantee of our end of the bargain."

"I believe Johnson can beat Burns any time, and have in mind the financial results of the victory in accepting the \$500, win, lose or a draw indifference."

KALLIS Restaurant, 14-15 Park Pl. Finest down to open till midnight. Seats 1,000.

## BATONYI'S WIFE

### ASKS A DIVORCE; HE ACCUSES HER

#### Daughter of Frank Work, Former Mrs. Burke-Roche, Specifies Seven Correspondents in Charge Against Professional Whip.

#### HE RETALIATES, NAMING ELEVEN IN COUNTER-SUIT.

#### Frank K. Sturgis, Banker, Among Them—Attorneys for Husband of Former Social Leader Ask for Open Trial of Sensational Charges.

Before Justice O'Gorman, in Special Term, Part I., of the Supreme Court, to-day, Mrs. Aurel Batonyi, formerly Mrs. Burke-Roche, filed a suit for absolute divorce against her gentleman coachman husband, indicating seven correspondents, some by name, others by description.

At the same time, in the same court, Aurel Batonyi filed a counter suit, asking for an absolute divorce, and specifying eleven correspondents. Chief among those named in Mr. Batonyi's list of correspondents is Frank K. Sturgis, broker banker, and secretary of the Jockey Club.

Other of the co-respondents in Mr. Batonyi's counter-suit than Mr. Sturgis are indicated by name and some are indicated by descriptions. In moving for trial Edward Alexander, counsel for Mr. Batonyi, specified that the hearing should be held in open court.

Mrs. Batonyi is represented in her action by her cousin, James Henry Work, who has associated with him the firm of Black, O'Leary, Gruber & Bonny.

The trial of the suits will be moved as soon as a crowded calendar permits. It will certainly be the most sensational divorce action that has been heard in this city in many years. There is no apparent disposition on the part of Mrs. Batonyi's attorneys to seek secrecy.

Mrs. Batonyi was last seen in public on Feb. 25. She attended a theatre party given by Mrs. A. S. Hewitt on that date. Mr. K. Sturgis and his wife were also of the party.

Mrs. Batonyi is the daughter of Frank Work, the millionaire horse fancier. Her life with her first husband, Burke-Roche, was not happy and she divorced him. He has never publicly recognized the legality of the divorce, however.

As Mrs. Burke-Roche she was a leader in the horse social set until she married Aurel Batonyi, professional coach. Her father was wild, her friends in society made known their displeasure and the Batonyis went to live on a little farm at Newport. This did not last long. Mrs. Batonyi returned to New York and after a time went to live at the home of her father.

She took her preliminary steps toward securing a divorce last fall. As soon as Batonyi learned of her intention he began to plan a counter-suit and the controversy has just come into the Supreme Court in a formal way.

## PACKEY M'FARLAND

### AND BRITT MATCHED

(Special to The Evening World.)

LOS ANGELES, March 5.—Sam Berger has clinched a match between Jimmy Britt and "Packey" McFarland, of Chicago, to take place in San Francisco on Tuesday night, March 31. Berger had the Chicago lightweight on the wire last night and all bets were against McFarland, but he was willing to fight Britt, and there was not the slightest difficulty in securing the signature of Britt. The weight is to be 131 pounds, straight Marquis of Queensberry rules are to govern, and the fighters are to take 50 per cent. of the receipts for their share, to be divided 60 per cent. to winner and 40 per cent. to loser. The referee is to be selected ten days before the contest and must be agreeable to the Club.